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### **RESPONSE TO COMMENTS HAZARDOUS WASTE FACILITY PERMIT SAFETY-KLEEN SYSTEMS, INC. SANTA ANA BRANCH, ORANGE COUNTY MARCH 2007**

This document is the Department of Toxic Substances Control's (DTSC) response to comments received on the draft Hazardous Waste Facility Permit for the Safety-Kleen Systems, Inc. (Safety-Kleen), Santa Ana Facility during the public comment period, ending January 8, 2007. DTSC only received comments from Safety-Kleen on December 22, 2006. No other member of the public made any comments.

#### **COMMENT 1**

Safety-Kleen requests that DTSC clarify the description of the Facility in Part II, Section 4 to reflect the actual operation. These are minor changes in this section of the Permit.

#### **RESPONSE 1**

DTSC agrees and has revised the description of the Facility's operation.

#### **COMMENT 2**

Part II, Section 4 of the Permit states that "the Permittee provides the following services which lead to the off-site generation of hazardous waste that the Permittee transports back to the Facility." Safety-Kleen requests that the "Industrial Solvent Services" be replaced by "Containerized Waste Services".

#### **RESPONSE TO COMMENT 2**

DTSC agrees and has revised the Permit accordingly. DTSC also changed the word Solvent" with "Petroleum" so that all solvent-based cleaners are now called Petroleum-Based Cleaners (Mineral spirits). Petroleum-Based Cleaner is the actual name used at the Facility.

### COMMENT 3

Safety-Kleen requests that DTSC delete the reference to the emergency notification related permit modification from Part II, Section 5. Safety-Kleen states that "permit modifications during the 10-year term of the permit are listed in this section. Safety-Kleen requests deletion of the May 20, 1999 revisions to emergency notification list because a few more revisions have been made to the list. The most recent revision to this list is attached."

### RESPONSE 3

DTSC agrees and has deleted the reference to the May 20, 1999 revisions to the emergency list.

### COMMENT 4

Safety-Kleen requests to include RCRA Waste Code D001 and California Waste Code 491 in Unit 1 while removing RCRA Waste Codes F002, F003 and F004 from the this unit. Safety-Kleen also requests that DTSC include the California Waste Codes 211, 212, 213, 223, 241, 461, 741 and 751 for Unit 2 and Unit 3 while removing Resource Conservation and Recovery Act (RCRA) Waste Code F001.

### RESPONSE 4

DTSC further reviewed the Part A application and the Part B Application (Operation Plan) and agrees that the old waste codes should be removed from the Permit and the new waste codes should be included in the Permit.

### COMMENT 5

Safety-Kleen states that there are some discrepancies in Part V of the Permit regarding former Solid Waste Management Units (SWMUs). Part V, Section 6 of the Permit requests a closure plan to be submitted for the discontinued drum storage area (SWMU #6) within 120 days of the effective date of the Permit. However, section 7 requests a closure certification report for the same SWMU. Also Safety-Kleen states that SWMU #8 shall have a closure certification report.

### RESPONSE 5

The drum storage area (SWMU #6) has been deleted from Part v, Section 7. The 1000-gallon Discontinued Underground Waste Mineral Spirits Tank (SWMU #8) has been added to the same Section.

#### COMMENT 6

Safety-Kleen states that a corrective action consent agreement should be required under Section VI of the Permit based on the closure results for SWMU No. 6.

#### RESPONSE 6

DTSC disagrees. The closure process and the corrective action process are two different statutory (and regulatory) requirements. DTSC has revised the Permit to acknowledge that Safety-Kleen conducted corrective action under DTSC's oversight, and to clarify what Safety-Kleen needs to do to complete the remaining corrective action under a corrective action consent agreement with DTSC.